

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
50234-00001

In Re Application Of: BEATON et al

**10/534517**

Application No. 10/534,517 ✓	Filing Date 11/21/2003	Examiner Not Yet Assigned	Customer No. 25231	Group Art Unit	Confirmation No. 5092
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Invention: **METHODS FOR IMPROVING CROP GROWTH**
Mail Stop Missing Parts
COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
August 30, 2005  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☒ Other (list):

1. First Preliminary Amendment
2. Recordation Form Cover Sheet and Executed Assignment
3. Transmittal of Information Disclosure Statement, Form PTO 1449 and Copies of 24 References
4. Acknowledgement Postcard

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Docket No.  
50234-00001

In Re Application Of:

**BEATON et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/534,517	11/21/2003	Not Yet Assigned	25231		5092

Invention: **METHODS FOR IMPROVING CROP GROWTH**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

<input type="checkbox"/> Utility application basic fee	_____
<input type="checkbox"/> Design application basic fee	_____
<input type="checkbox"/> Search Fee	\$0.00
<input type="checkbox"/> Examination Fee	\$0.00
<input checked="" type="checkbox"/> Total number of independent claims = <u>6</u>	\$300.00
<input checked="" type="checkbox"/> Total number of claims = <u>37</u>	\$425.00
<input type="checkbox"/> Multiple dependent claims	_____
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	\$65.00
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor	_____
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	_____
<input type="checkbox"/> Fee for processing and retention of application	_____

10/28/2005 HKAYPAGH 00000097 10534517

Total completion of application fees \$790.00

01 FC:2617 65.00 OP  
02 FC:2615 425.00 OP  
03 FC:2614 300.00 OP

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date

Total time extension fees \_\_\_\_\_

Total fees due \$790.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
50234-00001

In Re Application Of: **BEATON et al.**

Application No. 10/534,517	Filing Date 11/21/2003	Examiner Not Yet Assigned	Customer No. 25231	Group Art Unit	Confirmation No. 5092
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Invention: **METHODS FOR IMPROVING CROP GROWTH**

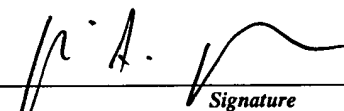
**TO THE COMMISSIONER FOR PATENTS:**

**Mail Stop Missing Parts**

The fee of **\$790.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-1419**
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-1419**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

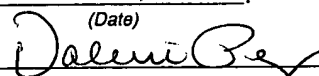
  
\_\_\_\_\_  
*Signature*  
**René A. Pereyra, Esq.**  
**Registration No. 45,800**  
**Marsh Fischmann & Breyfogle LLP**  
**3151 South Vaughn Way, Suite 411**  
**Aurora, Colorado 80014**  
**303-338-0997**

Dated: **October 19, 2005**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

**October 19, 2005**

(Date)



*Signature of Person Mailing Correspondence*

**Valerie Perry**

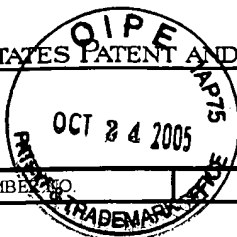
*Typed or Printed Name of Person Mailing Correspondence*

cc:

PCF



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,517	William Beaton	50234-00001

INTERNATIONAL APPLICATION NO.
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PCT/AU03/01559

I.A. FILING DATE	PRIORITY DATE
11/21/2003	11/21/2002

25231  
 MARSH, FISCHMANN & BREYFOGLE LLP  
 3151 SOUTH VAUGHN WAY  
 SUITE 411  
 AURORA, CO 80014

RECEIVED

SEP 01 2005

MARSH FISCHMANN &amp; BREYFOGLE LLP

Date Mailed: 08/30/2005

CONFIRMATION NO. 5092

371 FORMALITIES LETTER

\*OC000000016887187\*

\*OC000000016887187\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/11/2005
- Copy of the International Search Report filed on 05/11/2005
- Small Entity Statement filed on 05/11/2005
- U.S. Basic National Fees filed on 05/11/2005
- Priority Documents filed on 05/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$1080** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$1145** for a Small Entity:

- \$65 Surcharge.
- Total additional claim fee(s) for this application is \$ 1080
  - \$200 for 2 independent claims over 3.
  - \$700 for 28 total claims over 20.
  - \$180 for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,517	PCT/AU03/01559	50234-00001